

SENATE BILL 2916

By Lundberg

AN ACT to amend Chapter 84 of the Private Acts of 1991; as amended by Chapter 162 of the Private Acts of 1994; Chapter 141 of the Private Acts of 1996; Chapter 140 of the Private Acts of 1996; Chapter 132 of the Private Acts of 1998; Chapter 121 of the Private Acts of 1998; Chapter 130 of the Private Acts of 2002; Chapter 64 of the Private Acts of 2005; Chapter 18 of the Private Acts of 2009 and Chapter 36 of the Private Acts of 2014; and any other acts amendatory thereto, relative to the charter of the City of Bristol.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 84 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by changing the word "ordinances" to "actions" in Section 1-2.

SECTION 2. Chapter 84 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by adding the following new section in Chapter 1:

Sec. 1-4. – Rules of Construction; definitions.

In the construction of this Charter, the following definitions and rules of construction shall be observed, unless they are inconsistent with the manifest intent of the Charter or the context clearly requires otherwise:

City. "City" or "the city" shall mean the City of Bristol, in the County of Sullivan and State of Tennessee.

Computation of time. The time within which an act is to be done shall be computed by excluding the first day and including the last day, unless the last day is a Saturday, a Sunday or a legal holiday, and then it shall also be excluded.

Gender. Words importing the masculine gender shall include the feminine and neuter.

Month. The word "month" shall mean a calendar month.

Number. Words used in the singular shall include the plural and the plural shall include the singular number.

Oath. The word "oath" shall include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

Or, and. The word "or" may be read as "and", and the word "and" as "or", where the sense requires it.

Person. The word "person" shall include a corporation, firm, partnership, association, organization and any other group acting as a unit, as well as an individual.

Shall. The word "shall" shall be deemed to be mandatory.

State. The word "state" shall mean the State of Tennessee.

Tense. Words used in the past or present tense shall include the future as well as the past and present, and the future tense includes the present.

Writing, written. The words "writing" and "written" shall include printing, typewriting, engraving, lithography and any other mode of representing words and letters.

Year. The word "year" shall mean a calendar year.

SECTION 3. Chapter 84 of the Private Acts of 1991, as amended by Chapter 141 of the Private Acts of 1996, Chapter 140 of the Private Acts of 1996, Chapter 132 of the Private Acts of 1998, Chapter 121 of the Private Acts of 1998, Chapter 64 of the Private Acts of 2005, and Chapter 36 of the Private Acts of 2014, and any other acts amendatory thereto, is amended by deleting the fourth sentence of Section 2-1 and substituting instead:

Whenever any area is annexed to the City of Bristol, the annexing ordinance or resolution shall set forth the councilmanic district or districts included in the area so annexed.

SECTION 4. Chapter 84 of the Private Acts of 1991, as amended by Chapter 141 of the Private Acts of 1996, Chapter 140 of the Private Acts of 1996, Chapter 132 of the Private Acts of 1998, Chapter 121 of the Private Acts of 1998, Chapter 64 of the Private Acts of 2005, Chapter 18 of the Private Acts of 2009, and Chapter 36 of the Private Acts of 2014, and any other acts amendatory thereto, is amended in Sections 2-1, 2-6, 2-7, and 3-2 by deleting the term "councilman" wherever it appears and substituting instead the term "council member" and by deleting the term "councilmen" wherever it appears and substituting instead the term "council members".

SECTION 5. Chapter 84 of the Private Acts of 1991, as amended by Chapter 141 of the Private Acts of 1996, Chapter 140 of the Private Acts of 1996, Chapter 132 of the Private Acts of 1998, Chapter 121 of the Private Acts of 1998, Chapter 64 of the Private Acts of 2005, and Chapter 36 of the Private Acts of 2014, and any other acts amendatory thereto, is amended by deleting Section 2-2 and substituting instead:

(a) Following the initial election of five (5) city council members, and effective with the election held in November 2022, the election for such office shall be held on the first Tuesday in November in each even-numbered year thereafter as seats become vacant and terms expire, and this shall be the date for the general city election. A candidate from each district receiving the largest number of votes from all districts shall be declared to be elected as the council member from that district. The candidates for the at-large seats receiving the largest number of votes shall be declared to be elected to those seats. In order to stagger their terms, candidates elected from the councilmanic districts shall be elected at the same time and candidates elected to the at-large seats shall be elected at the same time. The terms of office for council members shall be four (4) years. All qualified voters of the city may vote for candidates for all of the seats notwithstanding the residency of the voter within the city. Starting after the election held in November 2022, the term of each council member shall begin on the date of the next

regular city council meeting in January following such council member's election. All council members shall be eligible for reelection.

(b) Nothing in this act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which such official was elected.

SECTION 6. Chapter 84 of the Private Acts of 1991, as amended by Chapter 141 of the Private Acts of 1996, Chapter 140 of the Private Acts of 1996, Chapter 132 of the Private Acts of 1998, Chapter 121 of the Private Acts of 1998, Chapter 64 of the Private Acts of 2005, and Chapter 36 of the Private Acts of 2014, and any other acts amendatory thereto, is amended by deleting the last sentence of Section 2-5(2) and substituting instead the following:

The budget and supporting tax rate shall be adopted by ordinance.

SECTION 7. Chapter 84 of the Private Acts of 1991, as amended by Chapter 141 of the Private Acts of 1996, Chapter 140 of the Private Acts of 1996, Chapter 132 of the Private Acts of 1998, Chapter 121 of the Private Acts of 1998, Chapter 64 of the Private Acts of 2005, and Chapter 36 of the Private Acts of 2014, and any other acts amendatory thereto, is amended by adding the following immediately before the last period in Section 2-5(8):

within the limits allowed by State law

SECTION 8. Chapter 84 of the Private Acts of 1991, as amended by Chapter 141 of the Private Acts of 1996, Chapter 140 of the Private Acts of 1996, Chapter 132 of the Private Acts of 1998, Chapter 121 of the Private Acts of 1998, Chapter 64 of the Private Acts of 2005, and Chapter 36 of the Private Acts of 2014, and any other acts amendatory thereto, is amended by deleting the last sentence of Section 2-5(18) and substituting instead the following:

If, within ten (10) years of being condemned or taken, condemned land is not utilized for its designated purpose or some other authorized public use, the previous owner shall be given first choice for repurchase at a fair market value.

SECTION 9. Chapter 84 of the Private Acts of 1991, as amended by Chapter 141 of the Private Acts of 1996, Chapter 140 of the Private Acts of 1996, Chapter 132 of the Private Acts

of 1998, Chapter 121 of the Private Acts of 1998, Chapter 64 of the Private Acts of 2005, and Chapter 36 of the Private Acts of 2014, and any other acts amendatory thereto, is amended by deleting the first sentence of Section 2-6(a) and substituting instead the following:

Until otherwise changed by the city council, regular meetings of the city council shall be held at 7:00 p.m. on the first Tuesday of each month at a location that the city council may designate by resolution.

SECTION 10. Chapter 84 of the Private Acts of 1991, as amended by Chapter 141 of the Private Acts of 1996, Chapter 140 of the Private Acts of 1996, Chapter 132 of the Private Acts of 1998, Chapter 121 of the Private Acts of 1998, Chapter 64 of the Private Acts of 2005, and Chapter 36 of the Private Acts of 2014, and any other acts amendatory thereto, is amended by deleting Section 2-6(b) and substituting instead the following:

Beginning in January 2023, the city council shall elect one (1) of its number as mayor for a term of one (1) year at its first regular meeting in January and shall elect one (1) of its number as mayor each year thereafter.

SECTION 11. Chapter 84 of the Private Acts of 1991, as amended by Chapter 141 of the Private Acts of 1996, Chapter 140 of the Private Acts of 1996, Chapter 132 of the Private Acts of 1998, Chapter 121 of the Private Acts of 1998, Chapter 64 of the Private Acts of 2005, and Chapter 36 of the Private Acts of 2014, and any other acts amendatory thereto, is amended by deleting the second sentence of Section 2-6(c) and substituting instead the following:

The mayor shall have no other executive or administrative powers or duties except those prescribed by this charter, by state law, or conferred by the council and not inconsistent with this charter.

SECTION 12. Chapter 84 of the Private Acts of 1991, as amended by Chapter 162 of the Private Acts of 1994, and Chapter 64 of the Private Acts of 2005, and any other acts amendatory thereto, is amended by deleting Section 9-1(b) and substituting instead the following:

(b) Such recorder shall proceed at once, after assessment rolls are received from the State Division of Property Assessments, to collect such taxes. All taxes remaining unpaid after January 5 of the following year shall draw interest at a rate to be fixed from time to time by the governing body of the City of Bristol at no more than the maximum legal rate of interest until paid. A penalty of five (5) percent shall attach to all taxes remaining unpaid after March 5 of such following year. Notwithstanding the foregoing, unpaid taxes on property assessed by the Tennessee Public Service Commission shall not be subject to penalty or interest until after April 5 of said following year. The City of Bristol may by resolution or ordinance extend the time for the collection of such taxes without penalty and interest for a period not exceeding three (3) months. The City of Bristol may provide by ordinance or resolution adopted in connection with the levy of ad valorem real or personal property taxes for any year for a discount of two (2) percent of the tax currently due, if such taxes are paid on or before November 5 of the year in which they are assessed and/or a discount of one (1) percent if paid after November 5, but before December 6 of the year in which such taxes are assessed; provided, that such discount shall not apply when all or any part of the amount of tax due is paid pursuant to Tennessee Code Annotated, Title 67, Chapter 5, Part 7, or the corresponding provisions of any future general laws of the State of Tennessee.

SECTION 13. Chapter 84 of the Private Acts of 1991, as amended by Chapter 64 of the Private Acts of 2005, and any other acts amendatory thereto, is amended by adding the following sentence at the end of Section 10-11:

In the event the office of juvenile clerk becomes vacant for any cause, the city council shall elect some qualified person to serve until the next regularly scheduled city election, at which time such clerk shall be elected by the voters of such city as heretofore provided.

SECTION 14. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Bristol. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Bristol and certified to the secretary of state.

SECTION 15. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 14.